THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

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WRIT APPEAL No. 1803 OF 2005

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15-11-2005

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Between:

Smt.Yaseen Begum.

……..APPELLANT

And

The District Collector, Hyderabad & Others.

…….RESPONDENTS

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WRIT APPEAL No. 1803 OF 2005

JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

The grievance of the appellant is that respondents No.3 and 4 are constructing a wall without obtaining permission from the Municipality. During the hearing, it is submitted that respondent No.3 is already dead and respondent No.4 is represented by learned Counsel Mr.K.V.Satyanarayana, who submitted that a suit is pending before the Civil Court, being O.S.No.1527 of 2005, in which the respondent No.4 and others have challenged the action of the Municipality in ordering demolition of the wall. The wall had not been constructed now, but was only being whitewashed. This is a matter, which will have to be decided by the trial Court, as to whether any fresh construction has been made or an existing wall was whitewashed. The learned Counsel for respondent No.4 Mr.K.V.Satyanarayana has also assured this Court that no fresh constructions will be made on the suit property, without obtaining permission from the Municipality.

In this view of the matter, we dispose of the writ appeal, directing respondent No.4, who is before us, not to make any constructions in the suit premises without obtaining permission from the Municipality concerned. The trial Court is directed to decide the suit as expeditiously as possible. No order as to costs.

(BILAL NAZKI, ACJ)

15th November 2005

(R.SUBHASH REDDY, J)

ajr